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JAN 09 2006

PATENT

In re patent appln. of: BOLDT, Matthias

Serial No.: 10/633,233

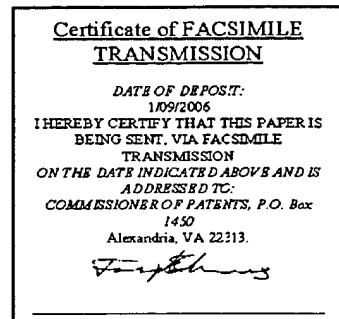
Filed: 08/02/2003

For: Weight Control Compositions
and Methods

Art Unit: 1616

Examiner: CHOI, Frank I.

Atty Dkt.: SAN61-03

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above-identified application. Payment of fee in the amount of \$60 is being made by credit card. Form PTO-2038 is attached.

The requested extension and fee are as follows:

| Extention Period | Fee | Small Entity Fee | Amount |
|---------------------|--------------|------------------|-----------------|
| <u>One month</u> | \$120 | \$60 | \$ 60.00 |
| <u>Two months</u> | \$450 | \$225 | \$225.00 |
| <u>Three months</u> | \$1020 | \$510 | \$510.00 |

Respectfully Submitted,

Dated: January 9, 2006

Joseph E. Chovanes, Esq.
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PTO/SB/17 (12-04v2)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL
For FY 2005

Applicant claims small entity status. See 37 CFR 1.27

| | | | | |
|-------------------------|------|--------|---------------------|----------|
| TOTAL AMOUNT OF PAYMENT | (\$) | 225.00 | Attorney Docket No. | SAN61-03 |
|-------------------------|------|--------|---------------------|----------|

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order None Other (please identify): _____

Deposit Account _____ Deposit Account Name _____

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee

Charge any additional fee(s) or underpayments of fee(s) Credit any overpayments

under 37 CFR 1.16 and 1.17

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

| Application Type | FILING FEES | | SEARCH FEES | | EXAMINATION FEES | | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
| | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | |
| Utility | 300 | 150 | 500 | 250 | 200 | 100 | |
| Design | 200 | 100 | 100 | 50 | 130 | 65 | |
| Plant | 200 | 100 | 300 | 150 | 160 | 80 | |
| Reissue | 300 | 150 | 500 | 250 | 600 | 300 | |
| Provisional | 200 | 100 | 0 | 0 | 0 | 0 | |

2. EXCESS CLAIM FEES

Fee Description

Each claim over 20 (including Reissues) Fee (\$)

50

25

Each independent claim over 3 (including Reissues) Fee (\$)

200

100

Multiple dependent claims Fee (\$)

360

180

| Total Claims | Extra Claims | Fee (\$) | Fee Paid (\$) | Multiple Dependent Claims | Fee (\$) | Fee Paid (\$) |
|--------------|--------------|----------|---------------|---------------------------|----------|---------------|
| - 20 or HP = | 0 | 0 | 0 | - 3 or HP = | 0 | 0 |

HP = highest number of total claims paid for, if greater than 20

| Indep. Claims | Extra Claims | Fee (\$) | Fee Paid (\$) |
|---------------|--------------|----------|---------------|
| - 3 or HP = | 0 | 0 | 0 |

HP = highest number of independent claims paid for, if greater than 3

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
|--------------|--------------|--|----------|---------------|
| - 100 = | / 50 = | (round up to a whole number) x | = | |

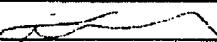
4. OTHER FEE(S)

Non-English Specification: \$130 fee (no small entity discount)

Fees Paid (\$)

Other (e.g., late filing surcharge): two-month extension of time 225.00

SUBMITTED BY

| | | | |
|-------------------|---|---|------------------------|
| Signature |  | Registration No. (Attorney/Agent) 33.481 | Telephone 610-648-3994 |
| Name (Print/Type) | Joseph E. Chovanes | | Date 1/09/2006 |

This collection of information is required by 37 CFR 1.135. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.